Sectl. II-27—33,008—30-10-37.

Public works (Hawaii) (1938) Department.

M SERIES.

G.O. No. 1422

DATED 6-7-38

[Despatch Abstract.]

1,002—16-2-37.

Received 193

Registered 9-MAY1938 193

Subject.

Mangalore Port - Rules framed under the Indian Ports Act - Amendment of.

ENCLOSURES
No. 3 & Encl 5
Spare copies ....

No. 816 Mg/38-1 *Madras, dated* 7th May 1938.

From (Name) Commander G.M. Osborne-Smith, R.I.N.,
Presidency Port Officer, Madras,

To The Secretary to the Government of Madras,
Public Works (Marine) Department.

Sir,

I have the honour to state that the Commissioner of the Mangalore Municipality has complained to the Collector of South Kanara that firewood, hay and other combustible materials are stored on wharf No.36 in the North reclamation area at the port and requested that as the owners of buildings adjacent to that area apprehend danger of fire, adequate preventive measures may be taken. The subject was placed before the Port Conservancy Board at the request of the Collector and it has recommended the imposition of the following restrictions, viz.

(1) the provision of a certain number of fire buckets as a precaution against fire and

(2).

(2) the removal of all straw landed on Port land by sunset of the day the straw is landed. Necessary draft amendments to the rules issued under G.O.No.189 Revenue (Special) Marine dated 3-5-1919 for regulating the use of piers and wharves at the various ports in the province of Madras, other than Madras are accordingly submitted herewith for the approval of Government.

2. A draft notification is enclosed.

I have the honour to be,
Sir,
Your most obedient servant,

Commander, R.I.N.,
Presidency Port Officer.

Enclos:-

Copy of Resolution No.V dated 26-3-38.
- do - No.VI dated 28-4-38.
Draft Notification in duplicate.

NOTIFICATION.

In exercise of the powers conferred by clause (JJ) of sub-section (1) of section 6 of the Indian Ports Act (Act XV of 1908) as amended, the Government of Madras are hereby pleased to issue the following draft amendments to the Rules for regulating the use of piers and wharves at the various ports in the Province of Madras other than the ports of Tuticorin, Madras, Cochin and Vizagapatam, published with Marine Department Notification No.61 dated 21-6-1919 at page 809 of Part I of Fort St. George Gazette dated 24th June 1919 as subsequently amended.

Draft Amendment.

In the said rules -(Part II Special Rules)- Add the following as rule 4.

Mangalore.

4 (1) The owner, renter or occupier of any building near wharf No.36 in the North reclamation area at the port used for the purpose of storing and carrying on business in firewood shall have in racks placed in an easily accessible place at least 6 galvanized iron fire buckets filled with sand as a precaution against fire.

(2) Notices shall also be displayed in prominent places warning the public against smoking and the use of naked lights.

(3) Lighted lamps other than lanterns shall not be carried in the building.

(4) Paper, rubbish and firewood chippings shall be cleared from the building and not allowed to accumulate.

(5) Straw landed at the northern extremity of wharf No.36 shall be removed before sunset of the day the straw is landed.

Commander, R.I.N.,
Presidency Port Officer.

Resolution No. V of the Port Conservancy Board, Mangalore dated 26th March 1938.

Read Resolution V of the Port Conservancy Board, held on 26-2-38 regarding stacking of fire-wood on North Reclamation land.

"The Board recommends a suitable number of fire buckets as a precaution against fire be maintained by the Depot-keepers and all straw landed on Port Land be removed by sunset of the day, such straw is landed".

Resolution No. VI of the Port Conservancy Board, Mangalore, dated 28th April 1938.

Read letter from the Presidency Port Officer, Madras, No.816 G1.33-1 dated 20-4-38 requesting to submit draft rules for storing firewood and straw on wharf No.36.

"The draft rules proposed by the Port Officer, are approved as modified."

3/5 (Duplicate)

NOTIFICATION.

In exercise of the powers conferred by clause (JJ) of sub-section (1) of section 6 of the Indian Ports Act (Act XV of 1908) as amended, the Government of Madras are hereby pleased to issue the following draft amendments to the Rules for regulating the use of piers and wharves at the various ports in the Province of Madras other than the ports of Tuticorin, Madras, Cochin and Vizagapatam, published with Marine Department Notification No.61 dated 21-6-1919 at page 809 of Part I of Fort St. George Gazette dated 24th June 1919 as subsequently amended.

vide (2)

Draft Amendment.

In the said rules - [Part II Special Rules] - Add the following [as rule 4.] heading and rules 4 to 11 be added, after rule 3 of Part II

Mangalore.

4 (1) The owner, renter or occupier of any building on wharf No.36 in the North reclamation area at the port used for the purpose of storing and carrying on business in firewood shall have in racks placed in an easily accessible place at least 6 galvanized iron fire buckets filled with sand as a precaution against fire] for use in dealing with fire

(2) Notices shall also be displayed in prominent places warning the public against smoking and the use of naked lights.

(3) Lighted lamps other than lanterns shall not be carried in the building.

5. He shall not allow to accumulate

(4) Paper, rubbish and firewood chippings [shall be cleared from the building and not allowed to accumulate.] in such

(5) Straw landed at the northern extremity of wharf No.36 shall be removed before sunset of the day the straw is landed.

shall cause them to be removed

Commander, R.I.N.,
for Presidency Port Officer.

2

1491 A/38

PW(Nav)

Please see the draft amendment proposed by the PWD on p. 3 of the earlier file no 4 and 5 relating to Calicut and Mangalore and Tellicherry were deleted in Co. no 9044 PW(Nav) dated 4.5.38. The draft rule 4, now proposed by the PWD, relates only to Mangalore and no necessity for the proposed addition is explained in the letter. The draft amendments may be agreed to and published for criticism as required by Section 6(2) of the Indian Port Act, 1908. A draft notification order is submitted. Legal may see before issue

Ex
24.5.38

25/5/38
Legal

PWD 40/no 1491 A/38-1
26-5-38

Legal Department.

Rule 4(2).- This rule does not specify the person who should put up the notices. It is understood from the Under Secretary, P.W.D., that the notices should be put up by the Conservator of the port. This may be recast as follows

"The Conservator of the port shall, by notices put up in prominent places on the said wharf, warn the public against smoking or the use of naked lights on the said wharf."

Rule 4(3):- This may be recast as follows:-

"No person shall use or permit the use of any

lighted lamps other than lanterns in such building."

Rule 4(4).- It is understood from the Under Secretary, P.W.D., that the owner, renter or occupier is responsible for carrying out the provisions of this rule. The rule may be recast as follows:-

"He shall not allow paper, rubbish or firewood chippings to accumulate in such building, but shall cause them to be removed."

Rule 4(5).- It is presumed that the duty of removing the straw from the wharf on the day on which it is landed should be laid on the consignee, consignor or owner. If so the rule may be recast as follows:-

"Straw landed at the northern extremity of the said wharf shall be removed by its consignee, consignor or owner, as the case may be, before sunset of the day on which it is landed."

Rules 4(2) to 4(5) may each form a separate rule.

The slight alterations indicated in red ink on the draft may be made.

A revised draft incorporating the above suggestions is put up.

T.R.31
11.6.38

S

12/6/38

PWD

ASST. SECRETARY TO GOVT. A 15 JUN 1938 2093 PUBLIC WORKS DEPT.

Legal 34604
15.6.38.

12

9/41

C.F. 16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..		
When copied ..	8/9/41	
When examined..		
When signed ..		
When despatched.		

SUBJECT:— PW (Home)

Ports - Mangalore | Rules regulating the use of piers and wharves at ports other than the Port of Madras - amendments - notified

READ AGAIN Ceo Pen 275 Rev (Cyl) dated 23.6.1919 (K)
" 436 " Marine " 20.10.1919 (J)
" " 155 " " 30.3.1920 (I)
" 38 " " 7.6.1920 (H)
READ ALSO:— 390 " Fin (Ecar) 16.9.1921 (G)
No. 98 From the 904 PW (Ecar), No. 22/4, dated 2/5 1923 (F)
1491 A/38 " PPO Madras " 816 PP/38 " 7.5.1938 (E)
" " " " " 19

Order / Resolution Ms. / Rout. No. 1422, dated 6-7-1938

Certified Office Memo

Vide (O) for precedent

Ceo 539 PW (Ecar) (Z)

17-3-38

To the PPO Madras

" Collr of Manthiri DS

and Mr. Cobbett for publication (Z) of Mr.

193

Vide p. 12 of (O) Ceo 539 PW (Ecar) 1733f for precedent.

The accompanying application to have proceedings will be published in the Fort St George Gazette and in the Manthiri DS Gazettes.

Sd
21.538

PW
22/7/38 | affg
4

[Affixed]

Received (Z) H.E. (Z)
Notification

(The following draft of an certain amendments to the rules regulating the use of piers and wharves at the various ports in the Province of Madras, other than the ports of Tuticorin, Madras, Cochin and Vizagapatam, published with

with Marine Dept Notification No. 61 dated the 21st June 1919 at page 809 of Part I of Fort St George Gazette, dated the 24th June 1919, as subsequently amended, which the Govt of Madras propose to make in exercise of the powers conferred by clause (ii) of Sub-section (1) of Section 6 of the Indian Ports Act, 1908 (XV of 1908) is hereby published, as required by Sub-section (2) of the said Section for general information.

Notice is hereby given that the draft will be further proceeded with on or after the 1st July 1938 and that any objection or suggestion which may be received with respect thereto before the date aforesaid will be considered by the Govt of Madras.

Draft Amendment

In F.E. 'A' on p. 34

Sd

21/5/38

(R) (J) (I) (H) (G) (F) (E)

(Box No. 37)

(p. 12 of 10)
(p. in previous)

(23 enclosures)

14

Appendix

Revised Draft

Notification

The following draft of an amendment to the rules for regulating the use of piers and wharves at the various ports in the Province of Madras, other than the ports of Tuticorin, Madras, Cochin and Vizagapatam, published with Marine Department Notification No.61 dated the 21st June 1919 at page 809 of Part I of the Fort St. George Gazette, dated the 24th June 1919, as subsequently amended, which the Government of Madras propose to make in exercise of the powers conferred by clause (jj) of sub-section (1) of section 6 of the Indian Ports Act, 1908 (XV of 1908) is hereby published, as required by sub-section (2) of the said section, for general information.

Notice is hereby given that the draft will be further proceeded with on or after the ~~1st July 1938~~ 15th August 1939 and that any objection or suggestion which may be received with respect thereto before the date aforesaid will be considered by the Government of Madras.

Draft Amendment

In Part II of the said rules, after rule 3, the following heading and rules shall be added, namely:--

"Mangalore.

4 (1) The owner, renter or occupier

of any building on wharf No.36 in the North Reclamation area at the port used for the purpose of storing, or carrying on the business in, firewood shall have in racks placed in an easily accessible part of such building at least six galvanized iron buckets filled with dry sand for use in dealing with fire.

(2) He shall not allow paper, rubbish or firewood chippings to accumulate in such building, but shall cause them to be removed.

(3) No person shall use, or permit the use of, any lighted lamps other than lanterns in such building.

(4) The conservator of the port shall, by notices put up in prominent places on the said wharf, warn the public against smoking or the use of naked lights on the said wharf.

(5) Straw landed at the northern extremity of the said wharf shall be removed by its consignee, consignor or owner, as the case may be, before sunset of the day on which it is landed."

J.R.91
11.6.38

$34

FORT ST. GEORGE GAZETTE,
JULY 12, 1938.

PART I—PAGES 1025 AND 1026.

PUBLIC WORKS DEPARTMENT.

(Marine.)

NOTIFICATION.

Fort St. George, July 6, 1938
(G.O. Ms. No. 1422, *Marine).*

No. 56.—

The following draft of an amendment to the rules for regulating the use of piers and wharves at the various Ports in the Province of Madras, other than the ports of Tuticorin, Madras, Cochin and Vizagapatam, published with Marine Department Notification No. 61, dated the 21st June 1919 at page 809 of Part I of the *Fort St. George Gazette,* dated the 24th June 1919, as subsequently amended, which the Government of Madras propose to make in exercise of the powers conferred by clause (*jj*) of sub-section (1) of section 6 of the Indian Ports Act, 1908 (XV of 1908) is hereby published, as required by sub-section (2) of the said section, for general information.

Notice is hereby given that the draft will be further proceeded with on or after the 15th August 1938 and that any objection or suggestion which may be received with respect thereto before the date aforesaid will be considered by the Government of Madras.

DRAFT AMENDMENT.

In Part II of the said rules, after rule 3, the following heading and rules shall be added, namely:—

"4. *Mangalore.*—(1) The owner, renter or occupier of any building on wharf No. 36 in the North Reclamation area at the port used for the purpose of storing, or carrying on business in, firewood shall have in racks placed in an easily accessible part of such building at least six galvanized iron buckets filled with dry sand for use in dealing with fire.

(2) He shall not allow paper, rubbish or firewood chippings to accumulate in such building, but shall cause them to be removed.

(3) No person shall use, or permit the use of, any lighted lamps other than lanterns in such building.

(4) The conservator of the port shall, by notices put up in prominent places on the said wharf, warn the public against smoking or the use of naked lights on the said wharf.

(5) Straw landed at the northern extremity of the said wharf shall be removed by its consignee, consignor or owner, as the case may be, before sunset of the day on which it is landed."

K. RAMUNNI MENON,
Secretary to Government.

FORT ST. GEORGE GAZETTE,
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DRAFT AMENDMENT.

In Part II of the said rules, after rule 3, the following heading and rules shall be added, namely:—

"4. *Mangalore.*—(1) The owner, renter or occupier of any building on wharf No. 36 in the North Reclamation area at the port used for the purpose of storing, or carrying on business in, firewood shall have in racks placed in an easily accessible part of such building at least six galvanized iron buckets filled with dry sand for use in dealing with fire.

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In Part II of the said rules, after rule 3, the following heading and rules shall be added, namely:—

"4. *Mangalore.*—(1) The owner, renter or occupier of any building on wharf No. 36 in the North Reclamation area at the port used for the purpose of storing, or carrying on business in, firewood shall have in racks placed in an easily accessible part of such building at least six galvanized iron buckets filled with dry sand for use in dealing with fire.

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Secretary to Government.

FORT ST. GEORGE GAZETTE;
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In Part II of the said rules, after rule 3, the following heading and rules shall be added, namely:—

"4. *Mangalore.*—(1) The owner, renter or occupier of any building on wharf No. 36 in the North Reclamation area at the port used for the purpose of storing, or carrying on business in, firewood shall have in racks placed in an easily accessible part of such building at least six galvanized iron buckets filled with dry sand for use in dealing with fire.

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V. RAMUNNI MENON,
Secretary to Government.

FORT ST. GEORGE GAZETTE,
JULY 12, 1938.

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(4) The conservator of the port shall, by notices put up in prominent places on the said wharf, warn the public against smoking or the use of naked lights on the said wharf.

(5) Straw landed at the northern extremity of the said wharf shall be removed by its consignee, consignor or owner, as the case may be, before sunset of the day on which it is landed."

K. RAMUNNI MENON,
Secretary to Government.

FORT ST. GEORGE GAZETTE,
JULY 12, 1938.

PART I—PAGES 1025 AND 1026.

PUBLIC WORKS DEPARTMENT.

(Marine.)

NOTIFICATION.

Fort St. George, July 6, 1938
(G.O. Ms. No, 1422, *Marine).*

No. 56.—

The following draft of an amendment to the rules for regulating the use of piers and wharves at the various Ports in the Province of Madras, other than the ports of Tuticorin, Madras, Cochin and Vizagapatam, published with Marine Department Notification No. 61, dated the 21st June 1919 at page 809 of Part I of the *Fort St. George Gazette*, dated the 24th June 1919, as subsequently amended, which the Government of Madras propose to make in exercise of the powers conferred by clause (*jj*) of sub-section (1) of section 6 of the Indian Ports Act, 1908 (XV of 1908) is hereby published, as required by sub-section (2) of the said section, for general information.

Notice is hereby given that the draft will be further proceeded with on or after the 15th August 1938 and that any objection or suggestion which may be received with respect thereto before the date aforesaid will be considered by the Government of Madras.

DRAFT AMENDMENT.

In Part II of the said rules, after rule 3, the following heading and rules shall be added, namely:—

"4. *Mangalore.*—(1) The owner, renter or occupier of any building on wharf No. 36 in the North Reclamation area at the port used for the purpose of storing, or carrying on business in, firewood shall have in racks placed in an easily accessible part of such building at least six galvanized iron buckets filled with dry sand for use in dealing with fire.

(2) He shall not allow paper, rubbish or firewood chippings to accumulate in such building, but shall cause them to be removed.

(3) No person shall use, or permit the use of, any lighted lamps other than lanterns in such building.

(4) The conservator of the port shall, by notices put up in prominent places on the said wharf, warn the public against smoking or the use of naked lights on the said wharf.

(5) Straw landed at the northern extremity of the said wharf shall be removed by its consignee, consignor or owner, as the case may be, before sunset of the day on which it is landed."

K. RAMUNNI MENON,
Secretary to Government.

FORT ST. GEORGE GAZETTE,
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K. RAMUNNI MENON,
Secretary to Government.

Government of Madras.

Received.....1938. Registered.....1938.

Abstract.

Ports - Mangalore - Rules regulating the use of piers and wharves at ports, other than the Port of Madras - Amendments - Notified.

Public Works (Marine) Department.

G.O.Ms. No. 1422., Dated the 6th July 1938.

Read the following:-

G.O.Press No.275-Rev.(Spl.) dated the 23rd June 1919.
,, 436-Marine, dated the 20th October 1919.
,, 155- -do- 30th March 1920.
,, 238 -do- 7th June 1920.
,, 390 Finance (Marine), dated the 16th September 1921.
,, 98 -do- dated 22nd February 1923.
,, 904 P.W.(Mar.), dated the 4th May 1938.
:om the Presidency Port Officer, Madras, No.816-Gl./38-1, ted the 7th May 1938.

O R D E R.

The notification appended to these proceedings will be published in the Fort St.George Gazette and in the maritime District Gazettes.

By Order of His Excellency the Governor).

K. Ramunni Menon,
Secretary to Government.

To the Presidency Port Officer, Madras.
" Collectors of Maritime Districts.
" Superintendent, Government Press, for publication of notification.

True copy.

Forwarded,
(By Order)

Superintendent.

ASR.

Appendix.

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Read

Appendix.
Notification.

The following draft of an amendment to the rules for regulating the use of piers and wharves at the various Ports in the Province of Madras, other than the ports of Tuticorin, Madras, Cochin and Vizagapatam, published with Marine Department Notification No.61, dated the 21st June 1919 at page 809 of Part I of the Fort St.George Gazette, dated the 24th June 1919, as subsequently amended, which the Government of Madras propose to make in exercise of the powers conferred by clause (jj) of sub-section (1) of section 6 of the Indian Ports Act, 1908 (XV of 1908) is hereby published, as required by sub-section (2) of the said section, f general information.

Notice is hereby given that the draft will be further proceeded with on or after the 15th August 1938 and that any objection or suggestion which may be received with respect thereto before the date aforesaid will be considered by the Government of Madras.

Draft Amendment.

In Part II of the said rules, after rule 3, the following heading and rules shall be added, namely:-

"Mangalore.

4. (1) The owner, renter or occupier of any building on wharf No.36 in the North Reclamation area at the port used for the purpose of storing, or carrying on business in, firewood shall have in racks placed in an easily accessible part of such building at least six galvanized iron buckets filled with dry sand for use in dealing with fire.

(2) He shall not allow paper, rubbish or firewood chippings to accumulate in such building, but shall cause them to be removed.

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Read

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(4) The conservator of the port shall, by notices put up in prominent places on the said wharf, warn the public against smoking or the use of naked lights on the said wharf.

(5) Straw landed at the northern extremity of the said wharf shall be removed by its consignee, consignor or owner, as the case may be, before sunset of the day on which it is landed".

28

or the term used in the Draft is "Paper" (1) of para 523 (7) at p 136 of Secty Manual

Wasterpaper, rubbish and fi wood chippings shall be cleared from suc building without being allowed to accumu late.

(5) Straw landed at the northern extremity of the wharf shall be removed before sunset of the day on which it is landed.' "

The slight alterations indicated in pencil on the preamble may be made.

GS
4.6.38